

### **Remarks**

Claims 1-8 are pending. Independent Claims 1 and 8 have been amended for a second time to further clarify the invention.

No new matter has been added. Support for the amendments are found, for example, in the specification as originally filed at page 2 (2<sup>nd</sup> paragraph, first two lines); page 7 (first full paragraph); page 8 (1<sup>st</sup> six lines); page 9 (1<sup>st</sup> full paragraph).

Regarding the Section 103 rejection, the amended claims are believed patentable over the cited prior art for the reasons previously explained in the First Rule 115 Amendment.

A Supplemental Information Disclosure Statement is concurrently filed with this Amendment. With regard to U.S. Patent No. 6,330,547 to Martin cited there the claimed invention differs in several respects. First, Martin is directed to the valuation of intellectual property assets owned by a party seeking a loan. Asset valuation occurs in the context of a potential foreclosure on the loan, so that the loan may be repaid and the lender made whole in the event of default. Martin neither discloses nor suggests valuation of a deposit liabilities base of a financial institution. At one point Martin appears to teach just the opposite, stating that his invention is limited to “non-traditional, intangible assets” (column 8, lines 33-34), which a deposit liabilities base (DLB) of a financial institution assuredly is not. (A bank DLB is perhaps one of the oldest types of intangible assets.) In addition, Martin is neither concerned with divestiture or a lack thereof by the financial institution, or with obtaining regulatory capital treatment for the intangible asset being valued. In short, Martin fails to recognize the problem or offer a solution to that addressed by the present invention.

Applicants respectfully request an allowance of pending Claims 1-8. If the next written

communication is intended to be other than an allowance, the Examiner is requested to contact the undersigned prior to mailing same.

Respectfully submitted,

A handwritten signature in cursive script, reading "MP Mazza", written in dark ink.

Michael P. Mazza  
Registration No. 34,092  
Michael P. Mazza, LLC  
686 Crescent Blvd.  
Glen Ellyn, IL 60137  
Phone: 630-858-5071  
Fax: 630-858-0373

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Attorney for Applicant